

IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT

DENEEN HENDERSON-SHOWERS o/b/o
ALLIE R. HENDERSON

PLAINTIFF

vs.

IPI PROPERTIES 16, LLC;
AND JOHN DOES 1-10

CIVIL ACTION NO.: 21-174

DEFENDANT

STATE OF MISSISSIPPI
COUNTY OF HINDS

SUMMONS

TO: IPI PROPERTIES 16, LLC.
Attn: Kumar Koneru Koneru
230 E. Beasley Road
Jackson, Mississippi 39206 or wherever he may be found.

NOTICE TO DEFENDANT

THE COMPLAINT AND DISCOVERY WHICH IS ATTACHED TO THIS SUMMONS
IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT
YOUR RIGHTS.

You are required to mail or hand-deliver a copy of a written response to the Complaint to Harry M. McCumber, Esq., attorney for the Plaintiff, whose address is MORGAN & MORGAL, PLLC, 4450 Old Canton Road, Suite 200, Jackson, Mississippi 39211. Your response must be mailed or delivered within thirty (30) days from the date of delivery of this Summons and Complaint or a judgment by default will be entered against you for the money or other things demanded in the Complaint. Your written responses to the Discovery which is simultaneously being served with the Complaint must be mailed or delivered within forty-five (45) days from the date of delivery of this Summons and Complaint.

You must also file the original of your responses with the Clerk of this Court within a reasonable time afterward.

Issued, under my hand and the seal of said Court, this 29 day of March, 2021.

HONORABLE ZAC WALLACE
HINDS COUNTY CIRCUIT CLERK

By: L. M. J. D.C.

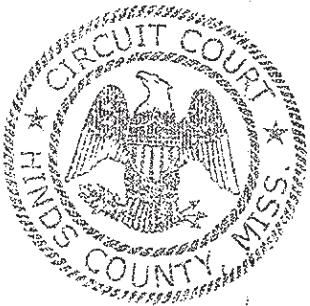


EXHIBIT A – COMPLAINT

PROOF OF SERVICE

TO: IPI PROPERTIES 16, LLC.
Attn: Kumar Koneru Koneru
230 E. Beasley Road
Jackson, Mississippi 39206

I, the undersigned process server, served the Summons/Complaint upon the person or entity named above in the matter set forth below.

FIRST CLASS MAIL AND ACKNOWLEDGMENT SERVICE. By mailing (by first class mail, postage prepaid), on the date stated in the attached Notice, copies to the person served, together with copies of the form of notice and acknowledgment and return envelope, postage prepaid, addressed to the sender (Attach completed acknowledgment of receipt pursuant to M.R.C.P. form 1B)

PERSONAL SERVICE. I personally delivered copies of the Summons/Complaint to _____ on the _____ day of _____, 20____ where I found said person(s) in _____ County of the State of Mississippi.

RESIDENCE SERVICE. After exercising reasonable diligence, I was unable to deliver copies to said person within _____ County, Mississippi. I served the Summons/Complaint on the _____ day of _____, 20____, at the usual place of abode of said person by leaving a true copy of the Summons and Complaint with _____, who is the _____ (husband, wife, son, daughter, etc.), a member of the family of the person served above the age of sixteen (16) years and willing to receive the Summons and Complaint, and thereafter on the _____ day of _____, 20____ I mailed (by first class mail, postage prepaid) copies to the person served at his or her usual place of abode where the copies were left.

CERTIFIED MAIL SERVICE. By mailing to an address outside/inside Mississippi (by first class mail, postage prepaid, requiring a return receipt) copies to the person served. (Attach signed return receipt or the return envelope marked "Refused").

At the time of service I was at least 18 years of age and not a party to this action.

NAME: _____
ADDRESS: _____

TELEPHONE: _____

STATE OF MISSISSIPPI
COUNTY OF _____

Personally appeared before me the undersigned authority in and for the state and county aforesaid, the within named _____ who being first by me duly sworn states on oath that the matters and facts set forth in the foregoing "Proof of Service-Summons" are true and correct as therein stated.

Process Server (signature)

Sworn to and subscribed before me this the _____ day of _____, 20____.

My Commission Expires:

Notary Public

IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI

DENEEN HENDERSON-SHOWERS o/b/o
ALLIE R. HENDERSON

vs.

IPI PROPERTIES 16 LLC;
and JOHN DOES 1-10

PLAINTIFF

CAUSE NO.: 21-174

DEFENDANT

FILED
MAR 29 2021
ZACK WALLACE, CIRCUIT CLERK
BY COMPLAINT
(JURY BY TRIAL REQUEST)

COMES NOW, the Plaintiff, Deneen Henderson-Showers o/b/o Allie R. Henderson (hereinafter "Plaintiff"), by and through her attorney(s) of record, and hereby files this Complaint against IPI Properties 16 LLC, and in support thereof states as follows;

I. PARTIES

1. The Plaintiff, Allie R. Henderson, is an adult citizen of Madison County, Mississippi. Deneen Henderson-Showers is Plaintiff's daughter and has Power of Attorney to file this Complaint on behalf of Allie R. Henderson.
2. The Defendant, IPI Properties 16 LLC, is a Limited Liability Company incorporated in the State of Mississippi, with its principal address in Rancho, Cucamonga, California, whose agent for service of process is Kumar Koneru Koneru, located at 230 Beasley Road, Jackson, Mississippi 39206.
3. Defendants, John Does 1-10, are other Defendants whose names, whereabouts, and/or involvement are at this time unknown to the Plaintiff but who may be added at a later date. John Does 1-10 include the owners, operators, managers, and all other entities, corporate and/or individuals of the Defendant, IPI Properties 16, LLC, and/or other persons, entities, and/or corporations that were in some manner negligently and proximately responsible for the events and happenings alleged in this Complaint and for Plaintiff's injuries and damages.

II. JURISDICTION AND VENUE

4. This Court has jurisdiction of the parties and the subject matter of this action. Venue is proper as the civil action arises out of negligent acts and omissions committed in Hinds County, Mississippi, and the cause of action occurred in Hinds County, Mississippi.

III. FACTS

5. The Plaintiff adopts and herein incorporates by reference each and every allegation as set forth above.

6. At all times mentioned in this Complaint, the Defendant, IPI Properties 16, LLC, managed, leased and/or owned and operated senior living apartments within the geographical boundaries of Hinds County, Mississippi, located at 230 Beasley Road, Jackson, Mississippi 39206.

7. At all times mentioned in this Complaint, the Defendant, IPI Properties 16, LLC, Plaintiff was a resident at Defendant's senior living apartments located at 230 Beasley Road, Jackson, Mississippi 39206, for reasons mutually advantageous to both Defendant and Plaintiff.

8. On or about July 29, 2019, the Plaintiff was a tenant and lawfully on the premises of Defendant's property located at 230 Beasley Road, Jackson, Mississippi 39206.

9. At the above-mentioned time and place, the Plaintiff was walking inside of her senior living apartment when suddenly and without warning, she tripped and fell violently to the ground due to improperly maintained and defective carpet. Plaintiff suffered injuries including, but not limited to, a broken femur that required surgery.

10. Prior to this fall, Defendant was warned of the dangerous carpet and was aware that Plaintiff suffered from dementia. No repairs were done to the carpet and/or flooring.

11. Defendant as owner and operator of the senior living apartments where the Plaintiff fell, owed a duty to the Plaintiff to keep the premises of the apartment in a reasonable safe condition, to warn the Plaintiff of any dangerous conditions not readily apparent of which it knew or should have known in the exercise of reasonable care, and to conduct reasonable inspection to discover dangerous conditions existing on the premises.

12. Defendant as owners and operators of the senior living apartment where the Plaintiff fell, breached the duties owed to the Plaintiff by:

- (A) Failing to maintain the premises of the senior living apartment in a reasonably safe condition;
- (B) Allowing unmaintained carpet to come into contact with the Plaintiff and remain on the premises of the senior living apartment when the Defendant knew or, in the exercise of reasonable care should have known, that the hazard created an unreasonable risk of harm to Plaintiff and other invitees to the senior living apartments;
- (C) Failing to warn the Plaintiff of the danger presented by the unmaintained carpet on the premises of the Defendant;
- (D) Failing to properly inspect the premises in order to discover hazardous conditions on the premises of the apartment;
- (E) Failing to otherwise exercise due care with respect to the matters alleged in this Complaint;
- (F) Failing to properly and adequately supervise business employees to oversee, inspect, maintain and/or monitor the premises to prevent unmaintained carpet from remaining on the premises;

(G) Failing to repair the carpet and/or provide with adequate flooring after having been told of the carpet's dangerous condition; and

(H) Failing to properly train and/or adequately supervise its employees to monitor and enforce Defendant's safety rules, policies, procedures, and regulations concerning the safe, prudent, and proper handling and operations of the unmaintained and dangerous carpet as to make sure tenants, such as Plaintiff herein, are safe when inside of the senior living apartments.

13. As a direct and proximate result of the negligence of the Defendant as set forth above, the Plaintiff fell while in the Defendant's senior living apartment. Plaintiff's injuries were caused solely by the negligence of the Defendant, without any negligence on the part of the Plaintiff. Prior to the fall, Plaintiff, Allie R. Henderson, was incapable of avoiding the dangerous condition which existed at the time, and at all times was exercising reasonable care for her own safety. Neither the fall, nor Plaintiff's injuries resulting therefrom, were in any way due to any negligence on Plaintiff's part, but were the sole, direct and proximate result of Defendant's negligence.

14. As a further direct and proximate result of the negligence of the Defendant, as set forth above, the Plaintiff, Allie R. Henderson, sustained serious injuries and damages including, but not limited to, physical injuries; past, present, and future pain and suffering; past, present, and future medical expenses; and other damages that will be proved at the trial of this matter.

IV. PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, the Plaintiff, Deneen Henderson-Showers o/b/o Allie R. Henderson, requests a trial by jury and demands damages including actual, compensatory, consequential, and incidental damages, for physical injuries; past, present, and future physical and emotional pain and suffering, past, present, and future medical expenses;

and any other special damages that may be incurred by the Plaintiff, together with attorney fees, costs of suit and any further relief as the Court may deem proper.

RESPECTFULLY SUBMITTED, this the 26th day of March, 2021.

DENEEN HENDERSON-SHOWERS
o/b/o ALLIE R. HENDERSON, PLAINTIFF

BY:



HARRY M. MCCUMBER, Esq.

OF COUNSEL:

MORGAN & MORGAN, PLLC
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